

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF FLORIDA**

RUBEN BELLO,

Plaintiff,

vs.

DHL EXPRESS (USA), INC.,
a Florida Company,

Defendant.

Case No.: 22-cv-23005-DPG

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT’S DAUBERT MOTION AND MOTION FOR SUMMARY JUDGEMENT**

Plaintiff, Ruben Bello (“Plaintiff”) respectfully requests this Honorable Court to grant a brief extension of time in order to prepare and file his responses to Defendant’s, DHL Express (USA), Inc. (“Defendant”), Motion for Summary Judgement [D.E. 32] and Motion to Exclude the Testimony of Treating Physician Dr. Priscilla Borrego (“Daubert Motion”) [D.E. 34], and in support thereof, states, as follows:

PROCEDURAL HISTORY

1. On July 7, 2023, Defendant filed both its Motion for Summary judgement [D.E. 32] and Daubert Motion to Exclude the Testimony of Dr. Priscilla Borrego [D.E. 34].
2. Plaintiff’s responses to both motions are due on July 21, 2023.
3. However, on July 14, 2023, Plaintiff submitted a Motion to Continue Summary Judgement and Trial to Allow Plaintiff to Conduct Discovery on Defendant’s Newly Amended Answer and Affirmative Defenses [D.E. 39], which has yet to be heard by the Court.

4. Additionally, on the same day, July 14, 2023, Plaintiff also filed its Unopposed Motion for Hearing to Schedule a Status Conference [D.E. 40], in light of the recent activity on the docket.

5. On July 16, 2023, the Court entered an Order setting the status conference for July 26, 2023, at 10:00 a.m. [D.E. 41].

6. Given that the status conference is set after the deadline for Plaintiff to provide his responses to Defendant's Motions, and considering Plaintiff's Motion to Continue, Plaintiff respectfully requests this Court to grant an extension through August 11, 2023, to provide his responses to the two pending motions [D.E. 32, and D.E. 34].

7. Prior to the filing of this Motion, undersigned conferred with counsel for Defendant. Defendant's counsel has no objection to the relief sought in this Motion, if Defendant is provided with an extension of up to two (2) weeks, if needed, to reply to Plaintiff's responses.

8. Undersigned counsel represents that this Motion is made in good faith and is not presented for the purpose of delay.

WHEREFORE, based on the foregoing, Plaintiff respectfully requests the Court to grant an extension of time through August 11, 2023, for Plaintiff to respond to Defendant's Daubert Motion and Motion for Summary Judgment, and for such further relief this Court deems just and proper. A proposed Order is attached for the Court's consideration.

Respectfully Submitted on this 18th day of July 2023.

By: /s/ Henry Hernandez
Henry Hernandez, Esq.

By: /s/ Monica Espino
Monica Espino, Esq.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served in the manner specified, either via transmission of Notices of Electronic filing generated by CM/ECF or in some other authorized manner for those counselor parties who are not authorized to receive electronically Notices of Electronic Filing, this 18th day of July 2023.

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